

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MORDY'S APPLIANCE REPAIR,

Plaintiff,

– v. –

AMAZON SERVICES LLC,

Defendant.

Case No. 1:17-cv-5376 (PKC)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum In Support of Motion To Dismiss, Defendant Amazon Services LLC moves this Court for an Order pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) dismissing this action in its entirety.

According to the schedule set by the Court, the response to this motion must be filed by November 29, 2017, and any reply in support of the motion must be filed by December 15, 2017.

PLEASE TAKE FURTHER NOTICE that Amazon Services LLC requests oral argument in connection with its Motion To Dismiss.

Respectfully submitted,

Dated: New York, NY
October 27, 2017

/s/John E. Schmidlein
John E. Schmidlein (*pro hac vice*)
Jonathan B. Pitt (S.D.N.Y. Bar No. jp0621)
WILLIAMS & CONNOLLY LLP
1330 Avenue of the Americas, Suite 23A
New York, New York 10019
Attorneys for Defendant Amazon Services LLC

CERTIFICATE OF SERVICE

I hereby certify that, on this 27th day of October, 2017, the foregoing Notice of Motion To Dismiss was filed with the Court through the CM/ECF system. I also certify that the foregoing was served via electronic mail on the following counsel:

Mark Schlachet
Law Offices of Mark Schlachet
3515 Severn Road
Cleveland, Ohio 44118
Attorney for Plaintiff

/s/Jonathan B. Pitt
Jonathan B. Pitt